

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

THOMAS FRANK CHERRY JR., #1517005 §
§
VS. §
§
DIRECTOR, TDCJ-CID §

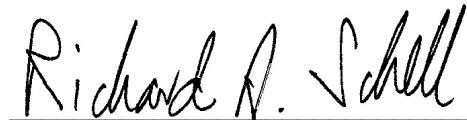
Civil Action No. 4:16cv836

MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE

The above-entitled and numbered civil action was referred to United States Magistrate Judge Kimberly C. Priest Johnson, who issued a Report and Recommendation (Dkt. #9) concluding that Petitioner's § 2254 petition (Dkt. #1) should be dismissed with prejudice. The Report and Recommendation, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration. Petitioner filed objections. After conducting a *de novo* review of the record, the court concludes that the findings and conclusions of the Magistrate Judge are correct and adopts the same as the findings and conclusions of the court.

It is accordingly **ORDERED** Petitioner's § 2254 petition (Dkt. #1) is **DISMISSED** with prejudice.

SIGNED this the 29th day of March, 2018.



RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE